HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

AND

HON'BLE SRI JUSTICE G. BHAVANI PRASAD

Writ Petition No.2524 of 2006

Between:

G. Janardhan Rao

… Petitioner

And

The Government of Andhra Pradesh rep. by the

Mandal Revenue Officer, Balanagar Mandal,

Ranga Reddy District and three others.

… Respondents

::ORDER::

Counsel for the Petitioner: Sri O.Manohar Reddy

Counsel for respondents: Government Pleader for Revenue

February 13, 2006

Per G.S. Singhvi, CJ

In this petition, the petitioner has prayed for issuance of a writ in the nature of mandamus directing Revenue Divisional Officer, Chevella Division, Attapur, Hyderabad to decide representations dated 28-3-1997 and 23-9-2005 made by him.

We have heard the learned counsel for the parties and perused the record. By an order dated 10-3-1997 passed by the Special Court constituted under Andhra Pradesh Land Grabbing (Prohibition) Act, 1982, in L.G.C.No.54 of 1996, the petitioner was declared as land grabber. However, the Special Court gave him liberty to make representation for regularization of illegal occupation. The petitioner complains that even though he had represented to the respondents to regularize his possession, the same have not been decided.

The learned Government Pleader says that the respondents will have no objection if a direction is issued for deciding the representations of the petitioner.

We are also of the view that ends of justice would be met by directing Revenue Divisional Officer, Chevella Division, Attapur, Hyderabad to consider and decide representations of the petitioner dated 28-3-1997 and 23-9-2005 in the light of order dated 10-3-1997 passed by the Special Court in L.G.C.No.54 of 1996.

Hence, the writ petition is disposed of with the direction that within one month from the date of receipt of the copy of this order together with a copy of the writ petition, Revenue Divisional Officer, Chevella Division, Attapur, Hyderabad should decide the representations of the petitioner in the light of order dated 10-3-1997 passed by the Special Court in L.G.C.No.54 of 1996.

However, it is made clear that this order shall not be construed as mandate of the Court for regularizing the illegal occupation of the Government land by the petitioner and the Officer concerned shall take his independent decision uninfluenced by the order passed by this Court.

If the Officer concerned has already decided the representations made by the petitioner, then he shall not be required to pass fresh order, because that would be amounting to revival of a dead claim.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

February 13, 2006

Svv/Ksn/ svs